

**CITY OF SALINA, KANSAS**  
**REGULAR MEETING OF THE BOARD OF COMMISSIONERS**  
**NOVEMBER 13, 2006**  
4:00 p.m.

The City Commission convened at 3:45 p.m. in a Study Session for a Citizen Forum. The Regular Meeting of the Board of Commissioners was called to order at 4:00 p.m. in Room 107, City-County Building. A roll call was taken followed by the Pledge of Allegiance and a moment of silence.

There were present:

Mayor Donnie D. Marrs, Chairman presiding  
Commissioner Alan E. Jilka  
Commissioner Deborah P. Divine  
Commissioner R. Abner Perney  
Commissioner John K. Vanier II

comprising a quorum of the Board, also present:

Jason A. Gage, City Manager  
Greg Bengtson, City Attorney  
Penny Day, Deputy City Clerk

Absent: None

06-7354 Moved by Commissioner Jilka, seconded by Commissioner Perney, to add an Executive Session to the agenda under other business. Aye: (5). Nay: (0). Motion carried.

**CITIZEN FORUM**

None.

**AWARDS - PROCLAMATIONS**

(4.1) The week of November 12-18, 2006 as "Geography Awareness Week" in the city of Salina. Maddy Woolsey, Grant DeMars, and Kenni Campbell, students from St. Mary's School, read the proclamation and informed the commission of some of the projects they have done.

**PUBLIC HEARINGS AND ITEMS SCHEDULED FOR A CERTAIN TIME**

None.

**CONSENT AGENDA**

(6.1) Approve the minutes of November 6, 2006.

06-7355 Moved by Commissioner Vanier, seconded by Commissioner Divine, to approve the consent agenda as presented. Aye: (5). Nay: (0). Motion carried.

**DEVELOPMENT BUSINESS**

None.

### ADMINISTRATION

(8.1) Second reading Ordinance No. 06-10361 levying Salina Business Improvement District No. 1 service fees for 2007.

Mayor Marrs reported that Ordinance No. 06-10361 was passed on first reading on November 6, 2006 and since that time no comments have been received

06-7356 Moved by Commissioner Perney, seconded by Commissioner Jilka, to adopt Ordinance No. 06-10361 on second reading. A roll call was taken. Aye: (5) Jilka, Marrs, Perney, Vanier, Divine. Nay: (0). Motion carried.

(8.2) Approval of Change Order No. 1 for the 2006 Asphalt Arterial Major Maintenance, Bituminous Mill and Overlay, Project No. 06-1592.

Martha Tasker, Director of Utilities, explained the project, and the financing for the project.

Shawn O'Leary, Director of Public Works, responded to Commissioner Divine's question regarding the unpaved roads at the Gypsum Hill Cemetery.

06-7357 Moved by Commissioner Divine, seconded by Commissioner Vanier, to approve Change Order No. 1 with APAC-Kansas, Inc. Shears Division in the amount of \$63,652.80 for the 2006 Asphalt Arterial Major Maintenance, Bituminous Mill and Overlay, Project No. 06-1592. Aye: (5). Nay: (0). Motion carried.

(8.3) Approve purchase of one aluminum sulfate feeder and two sodium carbonate feeders for the Water Treatment Plant.

Martha Tasker, Director of Utilities, explained the project and the bids that were received.

06-7358 Moved by Commissioner Perney, seconded by Commissioner Jilka to approve the purchase of one aluminum sulfate feeder and two sodium carbonate feeders for the Water Treatment Plant from Ray Lindsay Company in the amount of \$25,350. Aye: (5). Nay: (0). Motion carried.

(8.4) Award contract for the screw pump discharge chutes at the Wastewater Treatment Plant, Project No. 06-1618.

Martha Tasker, Director of Utilities, explained the project, and that an alternate quotation was received to sandblast and coat the existing chutes instead of replacing them.

Ms. Tasker then responded to Commissioner Perney's question regarding how long the coating would last.

06-7359 Moved by Commissioner Vanier, seconded by Commissioner Divine, to award the

contract to Mayer Specialty Services in the amount of \$12,100. Aye: (5). Nay: (0). Motion carried.

(8.5) Supplemental Engineering Agreement No. 1 with the Kansas Department of Transportation and Wilson & Company for the North Ohio Street Grade Separation Project No. 00-1248.

Shawn O'Leary, Director of Public Works, explained the project and noted that Troy Eisenbraun from Wilson and Company was present to answer questions.

Mr. O'Leary responded to Mayor Marris' question on whether this work has already been completed, and if the original contract was written as a maximum not to exceed format.

06-7360

Moved by Commissioner Jilka seconded by Commissioner Vanier, to approve Supplemental Engineering Agreement No. 1 with the Kansas Department of Transportation and Wilson & Company for the North Ohio Street Grade Separation Project No. 00-1248, in the amount of \$15,995.04 . Aye: (5). Nay: (0). Motion carried.

(8.6) Resolution No. 06-6326 relating to the proposed construction of the Holcomb station coal fueled power generation plant to be operated by Sunflower Electric Power Corporation.

Jason Gage, City Manager, reviewed the information for the commission, and explained the effects this plant may have on the citizens of Salina.

Commissioner Perney stated that this is an unprecedented stand on a regulatory issue, he also mentioned some other unprecedented issues that the current commission has dealt with over the last year, such as the water contamination in the former Schilling Air Base area, and the low water levels in the Smoky Hill River resulting in the water conservation efforts.

Mr. Perney then responded to Commissioner Jilka, who asked if Commissioner Perney was wanting to see action on this item take place at today's meeting.

Commissioner Divine stated that she appreciated Commissioner Perney's concern, and that she thinks that people do not realize the environmental consequences of their usage of natural resources; however, that this is a much larger issue than one coal plant in Holcomb, Kansas.

Wes Jackson, 2400 E. Waterwell Road, explained his experience and opinion with atmospheric carbon. Mr. Jackson also noted that he has testified his oppositions to this plant and that he plans to do so again at the upcoming hearing in Topeka.

Jerry Brown, 1215 Meyer Drive, stated his support of wind energy and his opposition to statements made by Sunflower Energy regarding the effects of the plant on expanding wind energy.

Gary Swartzendruber, 528 S. College, stated his opposition to the proposed energy plant in Holcomb.

Joan Jerkovich, 539 Upper Mill Heights, stated her opposition to the proposed plant in Holcomb.

06-7361 Moved by Mayor Marris, seconded by Commissioner Vanier, to postpone consideration of this issue until November 27, 2006.

Commissioner Jilka stated that he agreed with Commissioner Divine's statement, and questioned whether the Commission would be supportive if the emissions statement was removed from the proposed resolution.

Commissioner Perney suggested adding the phrase "and downstream the City of Salina's water supply" to the resolution in the fourth "Whereas" statement after the words "Kanopolis Reservoir".

Mayor Marris called the question: Aye: (3). Nay: (2) Jilka, Perney. Motion carried.

Mr. Gage asked the commission what other type of information they would want provided to them prior to the November 27, 2006 meeting.

(8.7) Resolution No. 06-6327 authorizing a license agreement with Ravey Investments.

Shawn O'Leary, Director of Public Works, explained the request.

Mr. O'Leary responded to Commissioner Marris' question regarding the sidewalks.

Mr. O'Leary then responded to Commissioner Divine's question on whether the new sidewalks would meet ADA requirements, and also noted that staff is recommending that the city replace the speed limit sign on Seventh Street.

Mr. O'Leary clarified the proposed improvements on the backside of the curb in response to Mayor Marris' question.

Commissioner Divine thanked the property owner for making improvements to the property.

Greg Bengtson, City Attorney, asked that if the commission decided to approve the license agreement, they could allow for staff to make the proposed changes with the property owner's approval.

Jim Ravenkamp, 652 S. Santa Fe, stated that the finished product would be similar to Salina Regional Health Center's lanterns. He also stated that he wanted to clarify that he is not trying to effect any future decisions regarding downtown lighting, but only attempting to enhance his property. Mr. Ravenkamp also mentioned that the replacement of the lights on Seventh Street could be used as a guide by Salina Downtown, Inc.; in knowing what the cost will be for the other downtown lights to be replaced.

Mayor Marris clarified with Mr. Ravenkamp that if the commission approved the resolution and license agreement, he would be willing to work with staff on any changes that were made.

Phyll Klima, Executive Director of Salina Downtown, Inc., thanked Mr. Ravenkamp for

his work in the downtown area and expressed the support of her board for this application, and also mentioned that they feel this will be a good cost study for any future lantern replacement that is done in the downtown area.

Commissioner Jilka stated his dissatisfaction of the lamps at Fifth and Walnut Street not being uniform with the surrounding area and also his opposition of this request.

06-7362 Moved by Commissioner Divine, seconded by Commissioner Vanier, to approve Resolution No. 06-6327 and directed staff to make the proposed changes. Aye: (3). Nay: (2) Jilka, Perney. Motion carried

### **OTHER BUSINESS**

06-7363 Moved by Commissioner Jilka, seconded by Commissioner Perney, to recess into executive session for 15 minutes to discuss matters subject to the attorney-client privilege for the reason that public discussion would waive the privilege and reconvene in this room at 5:50pm. Aye: (5). Nay: (0). Motion carried

The City Commission recessed into executive session at 5:32 p.m. and reconvened at 5:55p.m. No action was taken.

06-7364 Moved by Commissioner Vanier, seconded by Commissioner Jilka, to return to the regular meeting session. Aye: (5). Nay: (0). Motion carried.

### **ADJOURNMENT**

06-7365 Moved by Commissioner Jilka, seconded by Commissioner Perney, that the Regular Meeting of the Board of Commissioners be adjourned. Aye: (5). Nay: (0). Motion carried. The meeting adjourned at 5:55 p.m.

Donnie D. Marrs, Mayor

**[SEAL]**  
**ATTEST:**

Lieu Ann Elsey, CMC, City Clerk